

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
BLUEFIELD

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:09-cr-00270

THOMAS CREIGHTON SHRADER

FINAL ORDER OF FORFEITURE

WHEREAS, on August 5, 2010, this Court entered a Preliminary Order of Forfeiture pursuant to the provisions of 28 U.S.C. § 2461(c) and 18 U.S.C. § 924(d)(1), forfeiting to the United States the interest of the defendant Thomas Creighton Shrader in three specified firearms;

WHEREAS, beginning on August 9, 2010, and for at least 30 consecutive days thereafter, the United States posted on an official government internet site (www.forfeiture.gov) notice of the forfeiture and of the United States intentions of disposing of the forfeited property according to law, and further notifying all third parties of their right to petition the Court, within sixty (60) days of the first date of publication, for a hearing to adjudicate the validity of their alleged legal interest in the property, as provided in Rule 32.2(b)(6), Federal Rules of Criminal Procedure;

AND WHEREAS, it appears from the record in this case that more than sixty (60) days have elapsed since the first date of publication and no claims have been filed for the forfeited property;

It is hereby ORDERED, ADJUDGED and DECREED that all right, title and interest in and to the following firearms are hereby CONDEMNED, FORFEITED and VESTED in the United States of America pursuant to 28 U.S.C. § 2461(c) and 21 U.S.C. § 853(n)(7):

1. One Mossberg & Sons single bolt .410-gauge shotgun 183D (CATS No. 10-FBI-004742);
2. One Winchester .22 long model 290 rifle with Weaver scope, Serial No. B1271330 (CATS No. 10-FBI-004742); and
3. One Winchester 12-gauge shotgun, Model 1400, Serial No. N538269 (CATS No. 10-FBI-004742).

It is further ORDERED that the Federal Bureau of Investigation, which presently has possession of the forfeited firearms which were admitted as exhibits in the defendant's trial on Count Three, shall maintain custody of the forfeited firearms and keep them available for the use of this court or any appellate court for a period of two years after the conclusion of the case and any direct appeal, and further shall grant the reasonable request of any party to examine or reproduce the exhibit for use in the proceeding as appropriate. L.R. Cr.P. 55.1.

The Clerk is hereby directed to send certified copies of this Order to counsel of record; to Deborah A. Atkins, Support Services Technician, FBI, P. O. Box 2227, Charleston, West Virginia, 25328; and to the United States Marshals Service, Charleston, West Virginia.

IT IS SO ORDERED this _____ day of _____, 2010.

ENTER:

IRENE C. BERGER
United States District Judge

PREPARED BY:

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